TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

March 20, 2001 LB 827

we're going to try to benefit the public and think there is an attempt to do that but, gosh, the lion's shares of the benefit, it seems in LB 827 go to...

SENATOR CUDABACK: Time, Senator Landis.

SENATOR LANDIS: ... existing incumbent phone companies.

SENATOR CUDABACK: Thank you, Senator Landis. Senator Kristensen, on the Beutler amendment to committee amendments to LB 827.

SPEAKER KRISTENSEN: Thank you, Mr. President, and members of the Legislature. Senator Landis, I don't see it that way. What I have a problem with is that LES and NPPD created this problem. They knew full well they didn't have any authority to go and do what they did. It is a ruse. And so now they ve tried to put all these other spins on it and they're going to go out and have people come out and say, oh, you re not going to get service. Nonsense. There is service out there. The problem is is that if you do not have some control over them, using ratepayer money, power money, to build telephone infrastructure so they can charge more money, what they're going to do is go out and then kill the incentive to invest in rural Nebraska. screen that we're, oh, so concerned about rural Nebraska is nonsense. What happened is LES is out there, knowing full well they had no authority to do what they did, and they built extra fiber because they have another agenda to serve, and that agenda is being frustrated by this bill. And we've waited for three or four years because we ve known this dark fiber has been out there, with no purpose, no public purpose for it, other than it was an opportunity to raise more money by LES and by NPPD. That's what this bill is all about. And what Senator Bromm has carefully done, and quite frankly, I had a bill that made them become separate subdivisions; if they wanted to do this, they had to create their own separate business and entities. Well, it was a little, but it's still a good idea because, quite frankly, that's what the FCC and what Congress required those public utilities to do...excuse me, those private utilities. If you were a private utility like 49 other states, and you wanted to get into the telephone business or you wanted